

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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WILMINGTON PR CORP.,

Plaintiff,

-against-

GARY PARKER,

Defendant.

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**ORDER ADOPTING REPORT  
AND RECOMMENDATION  
19-CV-2380 (DRH)(AKT)**

Presently before the Court is the Report and Recommendation of Magistrate Judge A. Kathleen Tomlinson, dated February 15, 2021, recommending that the Court grant plaintiff's motion for a default judgment of foreclosure and sale with the proceeds being applied to the amounts due under the note, to wit \$233,326.00 in unpaid principal and \$211,655.70 in interest through April 20, 2020 and \$83.10 per diem thereafter to the entry of judgment. More than fourteen (14) days have passed since service of the Report and Recommendation and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, the Court adopts the March 20, 2020 Report and Recommendation of Judge Tomlinson as if set forth herein. Accordingly,

**IT IS HEREBY ORDERED THAT** Plaintiff's motion for default judgment of foreclosure and sale is granted and Plaintiff is awarded damages as follows: (a) \$233,326.00 in unpaid principal under the Note and \$211, 655.70 through April 20, 2020 with additional per

diem interest to be calculated at a rate of \$83.10 per day through the date that judgment is entered. The Court will this day enter a Judgment of Foreclosure and Sale consistent herewith.

**SO ORDERED.**

Dated: Central Islip, New York  
March 12, 2021

s/ Denis R. Hurley  
Denis R. Hurley  
United States District Judge